

May 13, 2008

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RE: In the Matter of the Order to Comply Labor Law Violation of  
Daley Farms of Lewiston; Labor Standards File No. 6737-033005;  
OAH Docket No. 11-1900-19544-2

Dear Counsel:

This letter will confirm our discussions during the telephone prehearing conference held on April 29, 2008, and constitutes the First Prehearing Order in this contested case proceeding.

The following schedule will govern this case:

1. It is anticipated that the parties will submit cross motions for summary disposition in this matter. The motions shall be filed by no later than June 16, 2008. Responses in opposition to such motions shall be filed by June 30, 2008, and reply briefs in support of such motions shall be filed by July 7, 2008.
2. Oral argument with respect to the motions shall be heard on July 24, 2008, at 3:30 p.m. in the courtrooms of the Office of Administrative Hearings, which are located on the first floor of the Stassen Building, 600 North Robert Street, St. Paul, Minnesota 55101.

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3. By August 28, 2008, the parties shall exchange proposed exhibit and witness lists. The witness lists shall include a brief summary of the expected testimony of each witness. If any documents identified as exhibits have not yet been exchanged, copies shall be provided with the exhibit lists.
4. If the motions are not dispositive of this matter, the hearing shall commence on September 16, 2008, at 9:30 a.m. in the courtrooms of the Office of Administrative Hearings, 600 North Robert Street, St. Paul, Minnesota. The hearing shall be digitally recorded unless the parties notify the Administrative Law Judge in advance of the hearing that they will require the services of a court reporter.
5. The parties shall appear at the hearing with at least two copies of each document they plan to offer into evidence (one for use by the Administrative Law Judge and one for use by witnesses). Exhibits shall be premarked by the parties using Arabic numbers.

Please do not hesitate to contact me if you believe that an additional prehearing conference or telephone conference call would be helpful.

Sincerely,

s/Barbara L. Neilson

BARBARA L. NEILSON  
Administrative Law Judge  
Tel.: (651) 361-7845

cc: Docket Coordinator